

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 6823
OFFERED BY M . _____

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Elizabeth Dole Home- and Community-Based Services for Veterans and Caregivers Act of 2022” or the “Elizabeth Dole Home Care Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Increase of expenditure cap for noninstitutional care alternatives to nursing home care.

Sec. 3. Coordination with Program of All-Inclusive Care for the Elderly.

Sec. 4. Home- and community-based services: programs.

Sec. 5. Coordination with assistance and support services for caregivers.

Sec. 6. Development of centralized website for program information.

Sec. 7. Improvements relating to Homemaker and Home Health Aide program.

Sec. 8. Reviews and other improvements relating to home- and community-based services.

Sec. 9. Definitions.

8 SEC. 2. INCREASE OF EXPENDITURE CAP FOR NONINSTITU-
9 TIONAL CARE ALTERNATIVES TO NURSING
10 HOME CARE.

11 (a) INCREASE OF EXPENDITURE CAP.—Section
12 1720C(d) of title 38, United States Code, is amended—

1 (1) by striking “The total cost” and inserting
2 “(1) Except as provided in paragraph (2), the total
3 cost”;

4 (2) by striking “65 percent” and inserting “100
5 percent”; and

6 (3) by adding at the end the following new
7 paragraph:

8 “(2) The total cost of providing services or in-kind
9 assistance in the case of any veteran for any fiscal year
10 under the program may exceed 100 percent of the cost
11 that would otherwise have been incurred as specified in
12 paragraph (1) if the Secretary determines, based on a con-
13 sideration of clinical need, geographic market factors, and
14 such other matters as the Secretary may prescribe
15 through regulation, that such higher total cost is in the
16 best interest of the veteran.”.

17 (b) APPLICABILITY.—The amendments made by sub-
18 section (a) shall apply with respect to fiscal years begin-
19 ning on or after the date of the enactment of this Act.

20 **SEC. 3. COORDINATION WITH PROGRAM OF ALL-INCLUSIVE**
21 **CARE FOR THE ELDERLY.**

22 Section 1720C of title 38, United States Code, as
23 amended by section 2, is further amended by adding at
24 the end the following new subsection:

1 “(f) In furnishing services to a veteran under the pro-
2 gram conducted pursuant to subsection (a), if a medical
3 center of the Department through which such program is
4 administered is located in a geographic area in which serv-
5 ices are available to the veteran under a PACE program
6 (as such term is defined in sections 1894(a)(2) and
7 1934(a)(2) of the Social Security Act (42 U.S.C.
8 1395eee(a)(2); 1396u-4(a)(2))), the Secretary shall seek
9 to enter into an agreement with the PACE program oper-
10 ating in that area for the furnishing of such services.”.

11 **SEC. 4. HOME- AND COMMUNITY-BASED SERVICES: PRO-**
12 **GRAMS.**

13 (a) PROGRAMS.—Chapter 17 of title 38, United
14 States Code, is amended by inserting after section 1720J
15 the following new section (and conforming the table of sec-
16 tions at the beginning of such chapter accordingly):

17 **“§ 1720K. Home- and community-based services: pro-**
18 **grams**

19 “(a) IN GENERAL.—In furnishing noninstitutional al-
20 ternatives to nursing home care pursuant to the authority
21 of section 1720C of this title (or any other authority under
22 this chapter or other provision of law administered by the
23 Secretary of Veterans Affairs), the Secretary shall carry
24 out each of the programs specified in this section in ac-

1 cordance with such relevant authorities except as other-
2 wise provided in this section.

3 “(b) VETERAN-DIRECTED CARE PROGRAM.—(1) The
4 Secretary of Veterans Affairs, in collaboration with the
5 Secretary of Health and Human Services, shall carry out
6 a program to be known as the ‘Veteran-Directed Care pro-
7 gram’ under which the Secretary of Veterans Affairs may
8 enter into agreements with the providers described in
9 paragraph (2) to provide to eligible veterans funds to ob-
10 tain such in-home care services and related items as may
11 be determined appropriate by the Secretary of Veterans
12 Affairs and selected by the veteran, including through the
13 veteran hiring individuals to provide such services and
14 items or directly purchasing such services and items.

15 “(2) The providers described in this paragraph are
16 the following:

17 “(A) An Aging and Disability Resource Center,
18 an area agency on aging, or a State agency.

19 “(B) A center for independent living.

20 “(C) An Indian tribe or tribal organization re-
21 ceiving assistance under title VI of the Older Ameri-
22 cans Act of 1965 (42 U.S.C. 3057 et seq.).

23 “(3) In carrying out the Veteran-Directed Care pro-
24 gram, the Secretary of Veterans Affairs shall—

1 “(A) administer such program through each
2 medical center of the Department of Veterans Af-
3 fairs;

4 “(B) seek to ensure the availability of such pro-
5 gram in American Samoa, Guam, the Common-
6 wealth of the Northern Mariana Islands, the Com-
7 monwealth of Puerto Rico, the Virgin Islands of the
8 United States, and any other territory or possession
9 of the United States, to the extent practicable; and

10 “(C) seek to ensure the availability of such pro-
11 gram for eligible veterans who are Native American
12 veterans receiving care and services furnished by the
13 Indian Health Service, a tribal health program, an
14 Urban Indian organization, or (in the case of a Na-
15 tive Hawaiian veteran) a Native Hawaiian health
16 care system, to the extent practicable.

17 “(4) If a veteran participating in the Veteran-Di-
18 rected Care program is catastrophically disabled, the vet-
19 eran may continue to use funds under the program during
20 a period of hospitalization in the same manner that the
21 veteran would be authorized to use such funds under the
22 program if the veteran were not hospitalized.

23 “(c) HOMEMAKER AND HOME HEALTH AIDE PRO-
24 GRAM.—(1) The Secretary shall carry out a program to
25 be known as the ‘Homemaker and Home Health Aide pro-

1 gram’ under which the Secretary may enter into agree-
2 ments with home health agencies to provide to eligible vet-
3 erans such home health aide services as may be deter-
4 mined appropriate by the Secretary.

5 “(2) In carrying out the Homemaker and Home
6 Health Aide program, the Secretary shall ensure the avail-
7 ability of such program—

8 “(A) in the locations specified in subparagraph
9 (B) of subsection (b)(3); and

10 “(B) for the veteran populations specified in
11 subparagraph (C) of such subsection.

12 “(d) HOME-BASED PRIMARY CARE PROGRAM.—The
13 Secretary shall carry out a program to be known as the
14 ‘Home-Based Primary Care program’ under which the
15 Secretary may furnish to eligible veterans in-home health
16 care, the provision of which is overseen by a physician of
17 the Department.

18 “(e) PURCHASED SKILLED HOME CARE PROGRAM.—
19 The Secretary shall carry out a program to be known as
20 the ‘Purchased Skilled Home Care program’ under which
21 the Secretary may furnish to eligible veterans such in-
22 home care services as may be determined appropriate and
23 selected by the Secretary for the veteran.

1 “(f) CAREGIVER SUPPORT.—(1) With respect to a
2 resident eligible caregiver of a veteran participating in a
3 program under this section, the Secretary shall—

4 “(A) if the veteran meets the requirements of
5 a covered veteran under section 1720G(b) of this
6 title, provide to such caregiver the option of enroll-
7 ing in the program of general caregiver support serv-
8 ices under such section;

9 “(B) provide to such caregiver covered respite
10 care of not less than 30 days annually; and

11 “(C) conduct on an annual basis (and, to the
12 extent practicable, in connection with in-person serv-
13 ices provided under the program in which the vet-
14 eran is participating), a wellness contact of such
15 caregiver.

16 “(2) Covered respite care provided to a resident eligi-
17 ble caregiver of a veteran under paragraph (1) may exceed
18 30 days annually if such extension is requested by the resi-
19 dent eligible caregiver or veteran and determined medi-
20 cally appropriate by the Secretary.

21 “(g) RULE OF CONSTRUCTION.—Nothing in this sec-
22 tion shall be construed to limit the authority of the Sec-
23 retary to carry out programs providing home- and commu-
24 nity-based services under any other provision of law.

25 “(h) DEFINITIONS.—In this section:

1 “(1) The terms ‘Aging and Disability Resource
2 Center’, ‘area agency on aging’, and ‘State agency’
3 have the meanings given those terms in section 102
4 of the Older Americans Act of 1965 (42 U.S.C.
5 3002).

6 “(2) The terms ‘caregiver’ and ‘family care-
7 giver’, with respect to a veteran, have the meanings
8 given those terms, respectively, under subsection (e)
9 of section 1720G of this title with respect to an eli-
10 gible veteran under subsection (a) of such section or
11 a covered veteran under subsection (b) of such sec-
12 tion, as the case may be.

13 “(3) The term ‘center for independent living’
14 has the meaning given that term in section 702 of
15 the Rehabilitation Act of 1973 (29 U.S.C. 796a).

16 “(4) The term ‘covered respite care’ has the
17 meaning given such term in section 1720G(d) of this
18 title.

19 “(5) The term ‘eligible veteran’ means any vet-
20 eran—

21 “(A) for whom the Secretary determines
22 participation in a specific program under this
23 section is medically necessary to promote, pre-
24 serve, or restore the health of the veteran; and

1 “(B) who absent such participation would
2 be at increased risk for hospitalization, place-
3 ment in a nursing home, or emergency room
4 care.

5 “(6) The term ‘home health aide’ means an in-
6 dividual employed by a home health agency to pro-
7 vide in-home care services.

8 “(7) The term ‘in-home care service’ means any
9 service, including a personal care service, provided to
10 enable the recipient of such service to live at home.

11 “(8) The terms ‘Indian tribe’ and ‘tribal organi-
12 zation’ have the meanings given those terms in sec-
13 tion 4 of the Indian Self-Determination and Edu-
14 cation Assistance Act (25 U.S.C. 5304).

15 “(9) The terms ‘Native American’ and ‘Native
16 American veteran’ have the meanings given those
17 terms in section 3765 of this title.

18 “(10) The terms ‘Native Hawaiian’ and ‘Native
19 Hawaiian health care system’ have the meanings
20 given those terms in section 12 of the Native Hawai-
21 ian Health Care Improvement Act (42 U.S.C.
22 11711).

23 “(11) The terms ‘tribal health programs’ and
24 ‘Urban Indian organizations’ have the meanings

1 given those terms in section 4 of the Indian Health
2 Care Improvement Act (25 U.S.C. 1603).

3 “(12) The term ‘resident eligible caregiver’
4 means an individual who—

5 “(A) is a caregiver, or a family caregiver,
6 of a veteran and resides with that veteran; and

7 “(B) has not entered into a contract,
8 agreement, or other arrangement for such indi-
9 vidual to act as a caregiver for that veteran un-
10 less such individual is a family member of the
11 veteran or is furnishing caregiver services
12 through a medical foster home.”.

13 (b) DEADLINE FOR IMPROVED ADMINISTRATION.—
14 The Secretary of Veterans Affairs shall ensure that the
15 Veteran-Directed Care program and the Homemaker and
16 Home Health Aide program are administered through
17 each medical center of the Department of Veterans Affairs
18 in accordance with section 1720K of title 38, United
19 States Code (as added by subsection (a)), by not later
20 than two years after the date of the enactment of this Act.

21 **SEC. 5. COORDINATION WITH ASSISTANCE AND SUPPORT**
22 **SERVICES FOR CAREGIVERS.**

23 (a) COORDINATION WITH PROGRAM OF COMPREHEN-
24 SIVE ASSISTANCE FOR FAMILY CAREGIVERS.—

1 (1) COORDINATION.—Section 1720G(a) of title
2 38, United States Code, is amended by adding at
3 the end the following new paragraph:

4 “(14)(A) In the case of a veteran or caregiver who
5 seeks services under this subsection and is denied such
6 services, or a veteran or the family caregiver of a veteran
7 who is discharged from the program under this subsection,
8 the Secretary shall—

9 “(i) if the veteran meets the requirements of a
10 covered veteran under subsection (b), provide to
11 such caregiver the option of enrolling in the program
12 of general caregiver support services under such sub-
13 section;

14 “(ii) assess the veteran or caregiver for partici-
15 pation in any other available program of the Depart-
16 ment for home- and community-based services (in-
17 cluding the programs specified in section 1720K of
18 this title) for which the veteran or caregiver may be
19 eligible and, with respect to the veteran, store (and
20 make accessible to the veteran) the results of such
21 assessment in the electronic medical record of the
22 veteran; and

23 “(iii) provide to the veteran or caregiver written
24 information on any such program identified pursu-
25 ant to the assessment under clause (ii), including in-

1 formation about facilities, eligibility requirements,
2 and relevant contact information for each such pro-
3 gram.

4 “(B) For each veteran or family caregiver who is dis-
5 charged from the program under this subsection, a care-
6 giver support coordinator shall provide for a smooth and
7 personalized transition from such program to an appro-
8 priate program of the Department for home- and commu-
9 nity-based services (including the programs specified in
10 section 1720K of this title), including by integrating care-
11 giver support across programs.”.

12 (2) APPLICABILITY.—The amendments made
13 by paragraph (1) shall apply with respect to denials
14 and discharges occurring on or after the date that
15 is 180 days after the date of the enactment of this
16 Act.

17 (3) TECHNICAL AND CONFORMING AMEND-
18 MENTS.—Section 1720G(d) of such title is amend-
19 ed—

20 (A) by striking “or a covered veteran”
21 each place it appears and inserting “, a veteran
22 denied or discharged as specified in paragraph
23 (14) of such subsection, or a covered veteran”;
24 and

1 (B) by striking “under subsection (a),
2 means” each place it appears and inserting
3 “under subsection (a) or a veteran denied or
4 discharged as specified in paragraph (14) of
5 such subsection, means”.

6 (b) CONFORMITY OF RESPITE CARE ACROSS PRO-
7 GRAMS.—Section 1720G of title 38, United States Code,
8 as amended by subsection (a)(3), is further amended—
9 (1) in subsection (a)(3)—

10 (A) by amending subparagraph (A)(ii)(III)
11 to read as follows:

12 “(III) covered respite care of not less than
13 30 days annually;” and

14 (B) by striking subparagraph (B) and re-
15 designating subparagraphs (C) and (D) as sub-
16 paragraphs (B) through (C), respectively; and

17 (2) by amending subsection (b)(3)(A)(iii) to
18 read as follows:

19 “(iii) Covered respite care of not less than 30
20 days annually.”; and

21 (3) in subsection (d)—

22 (A) by redesignating paragraphs (2)
23 through (4) as paragraphs (3) through (5), re-
24 spectively; and

1 (B) by inserting after paragraph (1) the
2 following new paragraph:

3 “(2) The term ‘covered respite care’ means,
4 with respect to a caregiver of a veteran, respite care
5 under section 1720B of this title that—

6 “(A) is medically and age appropriate for
7 the veteran (including 24-hour per day care of
8 the veteran commensurate with the care pro-
9 vided by the caregiver); and

10 “(B) includes in-home care.”.

11 (c) REVIEW RELATING TO CAREGIVER CONTACT.—

12 The Secretary shall conduct a review of the capacity of
13 the Department to establish a streamlined system for con-
14 tacting all caregivers enrolled in the program of general
15 caregiver support services under section 1720G(b) of title
16 38, United States Code, to provide to such caregivers pro-
17 gram updates and alerts relating to emerging services for
18 which such caregivers may be eligible.

19 **SEC. 6. DEVELOPMENT OF CENTRALIZED WEBSITE FOR**
20 **PROGRAM INFORMATION.**

21 (a) CENTRALIZED WEBSITE.—The Secretary shall
22 develop and maintain a centralized and publically acces-
23 sible internet website of the Department as a clearing-
24 house for information and resources relating to covered
25 programs.

1 (b) CONTENTS.—The website under subsection (a)
2 shall contain the following:

3 (1) A description of each covered program.

4 (2) An informational assessment tool that—

5 (A) explains the administrative eligibility,
6 if applicable, of a veteran, or a caregiver of a
7 veteran, for any covered program; and

8 (B) provides information, as a result of
9 such explanation, on any covered program for
10 which the veteran or caregiver (as the case may
11 be) may be eligible.

12 (3) A list of required procedures for the direc-
13 tors of the medical facilities of the Department to
14 follow in determining the eligibility and suitability of
15 veterans for participation in a covered program, in-
16 cluding procedures applicable to instances in which
17 the resource constraints of a facility (or of a commu-
18 nity in which a facility is located) may result in the
19 inability to address the health needs of a veteran
20 under a covered program in a timely manner.

21 (c) UPDATES.—The Secretary shall ensure the
22 website under subsection (a) is updated on a periodic
23 basis.

1 **SEC. 7. IMPROVEMENTS RELATING TO HOMEMAKER AND**
2 **HOME HEALTH AIDE PROGRAM.**

3 (a) PILOT PROGRAM FOR COMMUNITIES WITH
4 SHORTAGE OF HOME HEALTH AIDES.—

5 (1) PROGRAM.—Beginning not later than 18
6 months after the date of the enactment of this Act,
7 the Secretary shall carry out a three-year pilot pro-
8 gram under which the Secretary shall provide home-
9 maker and home health aide services to veterans
10 who reside in communities with a shortage of home
11 health aides.

12 (2) LOCATIONS.—The Secretary shall select not
13 fewer than five geographic locations in which the
14 Secretary determines there is a shortage of home
15 health aides at which to carry out the pilot program
16 under paragraph (1).

17 (3) NURSING ASSISTANTS.—

18 (A) IN GENERAL.—In carrying out the
19 pilot program under paragraph (1), the Sec-
20 retary may hire nursing assistants as new em-
21 ployees of the Department of Veterans Affairs,
22 or reassign nursing assistants who are existing
23 employees of the Department, to provide to vet-
24 erans in-home care services (including basic
25 tasks authorized by the State certification of
26 the nursing assistant) under the pilot program,

1 in lieu of or in addition to the provision of such
2 services through non-Department home health
3 aides.

4 (B) RELATIONSHIP TO HOME-BASED PRI-
5 MARY CARE PROGRAM.—Nursing assistants
6 hired or reassigned under subparagraph (A)
7 may provide services to a veteran under the
8 pilot program under paragraph (1) while serv-
9 ing as part of a health care team for the vet-
10 eran under the Home-Based Primary Care pro-
11 gram.

12 (4) REPORT TO CONGRESS.—Not later than one
13 year after the date on which the Secretary deter-
14 mines the pilot program under paragraph (1) has
15 terminated, the Secretary shall submit to the Com-
16 mittees on Veterans' Affairs of the House of Rep-
17 resentatives and the Senate a report on the result of
18 the pilot program.

19 (b) REPORT ON USE OF FUNDS.—Not later than one
20 year after the date of the enactment of this Act, the Sec-
21 retary of Veterans Affairs shall submit to the Committees
22 on Veterans' Affairs of the House of Representatives and
23 the Senate a report containing, with respect to the period
24 beginning in fiscal year 2011 and ending in fiscal year
25 2022, the following:

1 (1) An identification of the amount of funds
2 that were included in a budget of the Department of
3 Veterans Affairs during such period for the provision
4 of in-home care to veterans under the Homemaker
5 and Home Health Aide program but were not ex-
6 pended for such provision, disaggregated by medical
7 center of the Department for which such unex-
8 pended funds were budgeted (if such disaggregation
9 is possible).

10 (2) To the extent practicable, an identification
11 of the number of veterans for whom, during such pe-
12 riod, the hours during which a home health aide was
13 authorized to provide services to the veteran under
14 the Homemaker and Home Health Aide program
15 were reduced for a reason other than a change in
16 the health care needs of the veteran, and a detailed
17 description of the reasons why any such reductions
18 may have occurred.

19 (c) UPDATED GUIDANCE ON PROGRAM.—Not later
20 than one year after the date of the enactment of this Act,
21 the Secretary shall issue updated guidance for the Home-
22 maker and Home Health Aide program. Such updated
23 guidance shall include the following:

1 (1) A process for the transition of veterans
2 from the Homemaker and Home Health Aide pro-
3 gram to other covered programs.

4 (2) A requirement for the directors of the med-
5 ical facilities of the Department to complete such
6 process whenever a veteran with care needs has been
7 denied services from home health agencies under the
8 Homemaker and Home Health Aide program as a
9 result of the clinical needs or behavioral issues of the
10 veteran.

11 **SEC. 8. REVIEWS AND OTHER IMPROVEMENTS RELATING**
12 **TO HOME- AND COMMUNITY-BASED SERV-**
13 **ICES.**

14 (a) OFFICE OF GERIATRIC AND EXTENDED CARE.—

15 (1) REVIEW OF PROGRAMS.—The Under Sec-
16 retary for Health of the Department of Veterans Af-
17 fairs shall conduct a review of each program admin-
18 istered through the Office of Geriatric and Extended
19 Care of the Department, or successor office, to—

20 (A) ensure consistency in program man-
21 agement;

22 (B) eliminate service gaps at the medical
23 center level; and

1 (C) ensure the availability of, and the ac-
2 cess by veterans to, home- and community-
3 based services.

4 (2) ASSESSMENT OF STAFFING NEEDS.—The
5 Secretary of Veterans Affairs shall conduct an as-
6 sessment of the staffing needs of the Office of Geri-
7 atric and Extended Care of the Department of Vet-
8 erans Affairs, or successor office.

9 (3) GOALS FOR GEOGRAPHIC ALIGNMENT OF
10 CARE.—

11 (A) ESTABLISHMENT OF GOALS.—The Di-
12 rector of the Office of Geriatric and Extended
13 Care, or successor office, shall establish quan-
14 titative goals to enable aging or disabled vet-
15 erans who are not located near medical centers
16 of the Department to access extended care serv-
17 ices (including by improving access to home-
18 and community-based services for such vet-
19 erans).

20 (B) IMPLEMENTATION TIMELINE.—Each
21 goal established under subparagraph (A) shall
22 include a timeline for the implementation of the
23 goal at each medical center of the Department.

24 (4) GOALS FOR IN-HOME SPECIALTY CARE.—
25 The Director of the Office of Geriatric and Extended

1 Care, or successor office, shall establish quantitative
2 goals to address the specialty care needs of veterans
3 through in-home care, including by ensuring the
4 education of home health aides and caregivers of vet-
5 erans in the following areas:

6 (A) Dementia care.

7 (B) Care for spinal cord injuries and dis-
8 eases.

9 (C) Ventilator care.

10 (D) Other speciality care areas as deter-
11 mined by the Secretary.

12 (5) REPORT TO CONGRESS.—Not later than one
13 year after the date of the enactment of this Act, the
14 Secretary shall submit to the Committees on Vet-
15 erans' Affairs of the House of Representatives and
16 the Senate a report containing the findings of the
17 review under paragraph (1), the results of the as-
18 sessment under paragraph (2), and the goals estab-
19 lished under paragraphs (3) and (4).

20 (b) REVIEW OF INCENTIVES AND EFFORTS RELAT-
21 ING TO HOME- AND COMMUNITY-BASED SERVICES.—

22 (1) REVIEW.—The Secretary of Veterans Af-
23 fairs shall conduct a review of the following:

24 (A) The financial and organizational incen-
25 tives for the directors of medical centers of the

1 Department to establish or expand covered pro-
2 grams at such medical centers.

3 (B) Any incentives for such directors to
4 provide to veterans home- and community-based
5 services in lieu of institutional care.

6 (C) The efforts taken by the Secretary to
7 enhance spending of the Department for ex-
8 tended care by shifting the balance of such
9 spending from institutional care to home- and
10 community-based services.

11 (D) The plan of the Under Secretary for
12 Health of the Department to accelerate efforts
13 to enhance spending as specified in subpara-
14 graph (C), to match the progress of similar ef-
15 forts taken by the Administrator of the Centers
16 for Medicare & Medicaid Services with respect
17 to spending of the Centers for Medicare & Med-
18 icaid Services for extended care.

19 (2) REPORT TO CONGRESS.—Not later than one
20 year after the date of the enactment of this Act, the
21 Secretary shall submit to the Committees on Vet-
22 erans' Affairs of the House of Representatives and
23 the Senate a report on the findings of the review
24 under paragraph (1).

1 (c) REVIEW OF RESPITE CARE SERVICES.—Not later
2 than two years after the date of the enactment of this Act,
3 the Secretary of Veterans Affairs shall conduct a review
4 of the use, availability, and effectiveness, of the respite
5 care services furnished by the Secretary under chapter 17
6 of title 38, United States Code.

7 (d) COLLABORATION TO IMPROVE HOME- AND COM-
8 MUNITY-BASED SERVICES.—

9 (1) REPORT ON EXPANSION OF CERTAIN MEN-
10 TAL HEALTH SERVICES.—

11 (A) REPORT.—Not later than two years
12 after the date of the enactment of this Act, the
13 Secretary of Veterans Affairs, in collaboration
14 with the Secretary of Health and Human Serv-
15 ices, shall submit to the Committees on Vet-
16 erans' Affairs of the House of Representatives
17 and the Senate a report containing rec-
18 ommendations for the expansion of mental
19 health services and related support to the care-
20 givers of veterans.

21 (B) MATTERS INCLUDED.—The report
22 under subparagraph (A) shall include an assess-
23 ment of the feasibility and advisability of au-
24 thorizing access to Vet Centers by—

1 (i) family caregivers enrolled in a pro-
2 gram under section 1720G of title 38,
3 United States Code; and

4 (ii) family caregivers of veterans par-
5 ticipating in a program specified in section
6 1720K of such title, as added by section 4.

7 (2) RECOMMENDATIONS.—

8 (A) DEVELOPMENT.—The Secretary of
9 Veterans Affairs shall develop recommendations
10 as follows:

11 (i) With respect to home- and commu-
12 nity-based services for veterans, the Sec-
13 retary of Veterans Affairs shall develop
14 recommendations regarding new services
15 (in addition to those furnished as of the
16 date of the enactment of this Act) in col-
17 laboration with the Secretary of Health
18 and Human Services.

19 (ii) With respect to the national short-
20 age of home health aides, the Secretary of
21 Veterans Affairs shall develop rec-
22 ommendations regarding methods to ad-
23 dress such shortage in collaboration with
24 the Secretary of Health and Human Serv-
25 ices and the Secretary of Labor.

1 (B) SUBMISSION TO CONGRESS.—The Sec-
2 retary of Veterans Affairs shall submit to the
3 Committees on Veterans' Affairs of the House
4 of Representatives and the Senate a report con-
5 taining the recommendations developed under
6 subparagraph (A) and an identification of any
7 changes in existing law or new statutory au-
8 thority necessary to implement the rec-
9 ommendations, as determined by the Secretary.

10 (C) CONSULTATION WITH SECRETARY OF
11 LABOR.—In carrying out this paragraph, the
12 Secretary of Veterans Affairs shall consult with
13 the Secretary of Labor.

14 (3) FEEDBACK AND RECOMMENDATIONS ON
15 CAREGIVER SUPPORT.—

16 (A) FEEDBACK AND RECOMMENDA-
17 TIONS.—The Secretary of Veterans Affairs shall
18 solicit from the entities described in subpara-
19 graph (B) feedback and recommendations re-
20 garding opportunities for the Secretary to en-
21 hance home- and community-based services for
22 veterans and the caregivers of veterans, includ-
23 ing through the potential provision by the entity
24 of care and respite services to veterans and
25 caregivers who may not be eligible for any pro-

1 gram under section 1720G of title 38, United
2 States Code, or section 1720K of such title (as
3 added by section 4), but have a need for assist-
4 ance.

5 (B) COVERED ENTITIES.—The entities de-
6 scribed in this subparagraph are veterans serv-
7 ice organizations and nonprofit organizations
8 with a focus on caregiver support (as deter-
9 mined by the Secretary).

10 (4) COLLABORATION FOR NATIVE AMERICAN
11 VETERANS.—The Secretary of Veterans Affairs shall
12 collaborate with the Director of the Indian Health
13 Service and representatives from tribal health pro-
14 grams and Urban Indian organizations to ensure the
15 availability of home- and community-based services
16 for Native American veterans, including Native
17 American veterans receiving health care and medical
18 services under multiple health care systems.

19 **SEC. 9. DEFINITIONS.**

20 In this Act:

21 (1) The terms “caregiver” and “family care-
22 giver” have the meanings given those terms under
23 section 1720K(h) of title 38, United States Code (as
24 added by section 4).

25 (2) The term “covered program”—

1 (A) means any program of the Department
2 of Veterans Affairs for home- and community-
3 based services; and

4 (B) includes the programs specified in sec-
5 tion 1720K of title 38, United States Code (as
6 added by section 4).

7 (3) The term “home- and community-based
8 services”—

9 (A) means the services referred to in sec-
10 tion 1701(6)(E) of title 38, United States Code;
11 and

12 (B) includes services furnished under a
13 program specified in section 1720K of such title
14 (as added by section 4).

15 (4) The terms “Home-Based Primary Care pro-
16 gram”, “Homemaker and Home Health Aide pro-
17 gram”, and “Veteran-Directed Care program” mean
18 the programs of the Department of Veterans Affairs
19 specified in subsection (d), (c), and (b) of such sec-
20 tion 1720K, respectively.

21 (5) The terms “home health aide”, “Native
22 American”, “Native American veteran”, “tribal
23 health programs”, and “Urban Indian organiza-
24 tions” have the meanings given those terms in sub-
25 section (h) of such section 1720K.

1 (6) The term “Vet Center” has the meaning
2 given that term in section 1712A(h) of title 38,
3 United States Code.

4 (7) The term “veterans service organization”
5 means any organization recognized by the Secretary
6 under section 5902 of such title.

